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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Andy H. Levine, John F. Cvinar and John C. Meade

Application No.: 10/811,293 Group Art Unit: 3763

Filed: March 26, 2004 Examiner: Not assigned

Confirmation No.: 8260

Title: ANTI-OBESITY DEVICES

CERTIFICATE OF MAILING OR TRANSMISSION

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

under 37 CFR 1.129(a), or  
(First/Second submission after Final Rejection)

under 37 CFR 1.97(b), or

(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

under 37 CFR 1.97(c) together with either:

a Statement under 37 CFR 1.97(e), as checked below, or

a \$180.00 fee under 37 CFR 1.17(p), or

(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

under 37 CFR 1.97(d) together with:

a Statement under 37 CFR 1.97(e), as checked below, and

a \$180.00 fee under 37 CFR 1.17(p), or

(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

under 37 CFR 1.97(i):

Applicant requests that the IDS and cited reference(s) be placed in the application file.

(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- [ ] Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- [ ] No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- [ ] Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

[X] Enclosed herewith is form PTO-1449:

- [X] Copies of the cited references, AO9-AQ9 and AL10-AP10 and C1, are enclosed.
  - [ X ] Copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
- [ ] Copies of the cited references are enclosed except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
- [ ] The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- [ ] The "concise explanation" requirement (non-English references) for reference [ ] under 37 CFR 1.98(a)(3) is satisfied by:
  - [ ] the explanation provided on the attached sheet.
  - [ ] the explanation provided in the Specification.
  - [ ] submission of the enclosed International Search Report.
  - [ ] submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
  - [ ] the enclosed English language abstract.

[ ] Applicant requests that the following non-published pending applications be considered:  
(Affix a label or apply the stamp "Non-Published IDS Reference - Do Not Scan" to the front of each unpublished pending appl'n.)

Examiner's  
Initials

\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]  
\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]  
\_\_\_\_ U.S. Patent Application No. [ ], by [inventor(s)], filed [ ], Docket No.: [ ]

Examiner

Date

[ ] A copy of each above-cited application, including the current claims, is enclosed, except any application filed on or after June 30, 2003, which has been scanned into the PTO's Image File Wrapper (IFW) system and is available to the examiner.  
[ ] A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [ ], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

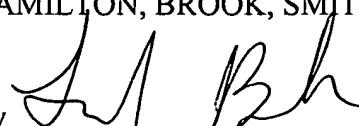
It is requested that the information disclosed herein be made of record in this application.

Method of payment:

[ ] A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.  
[ ] Please charge Deposit Account 08-0380 in the amount of \$[ ]. A copy of this Statement is enclosed.  
[X] Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

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Dated: 05/23/04

PTO-1449 REPRODUCED		ATTORNEY DOCKET NO. 2814.2008-001	APPLICATION NO. 10/811,293	
<b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION</b>		FIRST NAMED INVENTOR Andy H. Levine	FILING DATE March 26, 2004	
May 19, 2006 <i>(use several sheets if necessary)</i>		EXAMINER Not assigned	CONFIRMATION NO. 8260	GROUP 3763

*JUN 01 2006*  
U.S. PATENT AND TRADEMARK OFFICE  
SEARCHED INDEXED  
SERIALIZED FILED

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	AJ18	6,074,673	06/13/2000	Guillen
	AK18	6,132,471	10/17/2000	Johlin, Jr.
	AA19	6,035,856	03/14/2000	LaFontaine et al.
	AB19	2005/0216040	09/29/2005	Gertner et al.
	AC19	2005/0216042	09/29/2005	Gertner
	AD19	2005/0228415	10/13/2005	Gertner
	AE19	2005/0228504 A1	10/13/2005	Demarais
	AF19	2005/0267533	12/01/2005	Gertner
	AG19	2004/0220682	11/04/2004	Levine et al.
	AH19	2004/0249362	12/09/2004	Levine et al.
	AI19	2005/0075622	04/07/2005	Levine et al.
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	AK19	2005/0080431	04/14/2005	Levine et al.
	AA20	2005/0080491	04/14/2005	Levine et al.
	AB20	2004/0085923	04/21/2005	Levine et al.
	AC20	2005/0125020	06/09/2005	Meade et al.
	AD20	2005/0125075	06/09/2005	Meade et al.
	AE20	2002/0091439 A1	07/11/2002	Baker, et al.
	AF20	7,033,384 B2	04/25/2006	Gannoe, et al.
	AG20	7,037,344 B2	05/02/2006	Kagan, et al.
	AH20	5,522,880	06/04/1996	Barone, et al.
	AI20	5,571,173	11/05/1996	Parodi

EXAMINER	DATE CONSIDERED
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PTO-1449 REPRODUCED	ATTORNEY DOCKET NO. 2814.2008-001	APPLICATION NO. 10/811,293
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		GROUP 3763

## **FOREIGN PATENT DOCUMENTS**

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PTO-1449 REPRODUCED  <b>SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION</b>  May 19, 2006  (Use several sheets if necessary)		ATTORNEY DOCKET NO. 2814.2008-001	APPLICATION NO. 10/811,293
		FIRST NAMED INVENTOR Andy H. Levine	FILING DATE March 26, 2004
		EXAMINER Not assigned	CONFIRMATION NO. 8260
			GROUP 3763

<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>		
C1	Parodi, J.C., M.D., "Endovascular Repair of Abdominal Aortic Aneurysms," <i>Advances in Vascular Surgery</i> , Vol. 1, pp. 85-105 (1993).	
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